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November 22, 1999

FILE: UTSD:602

**CERTIFICATE OF MAILING  
37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington DC 20231, on the date below:

November 22, 1999

Date

*[Signature]*  
Mark B. Wilson

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, DC 20231

RE: *SN 09/396,985 "LPS-RESPONSE GENE COMPOSITIONS AND METHODS" - Beutler and Poltorak (Client reference: UTMDACC:602)*

Sir:

Please find enclosed:

- (1) A Response Under 37 C.F.R. § 1.53(f) to Notice to File Missing Parts mailed October 7, 1999;
- (2) Declaration executed by Bruce A. Beutler and Alexander Poltorak;
- (3) Small Entity Declaration;
- (4) Power of Attorney;
- (5) Copy of Notice to File Missing Parts of Application-Filing Date Granted;
- (6) Check in the amount of \$763.00; and

ARNOLD WHITE & DURKEE

Assistant Commissioner for Patents

November 22, 1999

Page 2

- (7) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Arnold White & Durkee Deposit Account No. 01-2508/UTSD:602/WIM.

Respectfully submitted,



Mark B. Wilson

Reg. No. 37,259

WIM/mar

Encl: as noted



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Bruce A. Beutler  
Alexander Poltorak

Serial No.: 09/396,985

Filed: September 15, 1999

For: LPS-RESPONSE GENE COMPOSITIONS  
AND METHODS

Group Art Unit: 1643

Examiner: Unknown

Atty. Dkt. No.: UTSD:602/WIM

**CERTIFICATE OF MAILING  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231, on the date below.

November 22, 1999

Date

Mark B. Wilson

**RESPONSE TO 37 C.F.R. § 1.53(f) NOTICE**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(f), dated October 7, 1999, there are enclosed herewith:

- (a) Declaration executed on behalf of Bruce A. Beutler and Alexander Poltorak;
- (b) A Power of Attorney on behalf of Board of Regents, The University of Texas System;

- (c) A Declaration Claiming Small Entity Status executed on behalf of Board of Regents, The University of Texas System;
- (d) Our check in the amount of \$763.00 to cover the basic filing fee (\$380 - utility small entity) ; surcharge for late filing (\$65.00); additional claims fee (\$318.00); and
- (e) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

An Assignment to Board of Regents, The University of Texas System and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Arnold White & Durkee Deposit Account No. 01-2508/UTSD:602/WIM.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicants

ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210-4433  
(512) 418-3000

Date: November 22, 1999



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

W2m  
MR2  
#4

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/396,985	09/15/99	BEUTLER	B UTSD:602

0212/1007

ARNOLD WHITE & DURKEE  
P O BOX 4433  
HOUSTON TX 77057

NOT ASSIGNED

1643

DATE MAILED: 10/07/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

**If all required items on this form are filed within the period set above, the total amount owed by applicant as a**

☐ small entity (statement filed) ☐ non-small entity is \$ 1,526.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ 558.00 for 31 total claims over 20.

\$ 78 for 1 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Everett Williams

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

11/29/1999 Y61ZAW 00000081 09396985

01 FC:201  
02 FC:202  
03 FC:203  
04 FC:205

380.00 OP  
39.00 OP  
279.00 OP  
65.00 OP

M. S. S. /  
PA. S. S. /  
13-7-99 4-200